

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22202-3513

TTAB

Mailed: August 8, 2005  
Attn: Cindy B. Greenbaum

Opposition No. 91161603  
Serial No. 78320975

In Opposers submission "PL'S REPLY IN SUPPORT OF MOT TO COMPEL", dated July 7, 2005, on page 2, paragraph 1, line 5 reads;

"In light of the fact that Applicant does not seem to regularly receive mail at its Westminster address, copies of the discovery are being served on the Post Office Box address for Applicant".

The reason we don't seem to regularly receive mail at our Westminster address, is because;

***We are not there.***

We opened the post office box on January, 25, 2005 in anticipation of relocation from 10749 Owens Street, Westminster, CO 80021, on February, 17, 2005.

In our submission "DF RESPONSE TO BOARD", dated March 22, 2005, on page 1, paragraph 8, line 1 reads;

"BioCentric Laboratories, Inc. request that all correspondents be directed to Rebecca Spaar, BioCentric Laboratories, Inc., P.O. Box 1018, Brighton, Colorado 90601."

We received the Boards "Trail Dates Reset", dated July, 7, 2005.

Assuming that the Opposer also read this, we have been anticipating the Opposers request to set a new meeting time, and as it was stated in "OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS";

"Pursuant to Rule 34 of the Federal Rules of Civil Procedure and Rule 2.120 of the Trademark Rules of Practice, opposer Allergan, Inc. hereby request that the applicant BioCentric Laboratories, Inc. produce for opposer's inspection and copying the documents and things requested below at 10:00 a.m. on May 9, 2005 at applicant's offices at 10749 Owens Street, Westminster, CO 80021, or at such other time and place or by such other means as may be agreed upon by the parties, and that the applicant serve a written response to these request within 30 days of their service".

To date, we have received no request.

On Monday, August 08, 2005, I received a phone call from Margaret Turek<sup>1</sup> that a representative from Allergan was at her home to pick up requested documentation.

On speaking with the representative, they informed me that that they also had been to a location at 10749 Owens Street, Westminster CO 80021.

This is the definition of "rhetoric".



Would the Board please inform the Opposer that BioCentric Laboratories is no longer at the address; 10749 Owens Street, Westminster, Colorado 80021 and that BioCentric Laboratories, Inc. request that all correspondents be directed to Rebecca Spaar, BioCentric Laboratories, Inc., P.O. Box 1018, Brighton, Colorado 80601.

It is plain that the Opposer is continuing to have an impact on the progress of this proceeding.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca Spaar".

Rebecca Spaar  
CEO  
BioCentric Laboratories, Inc.

RS/av

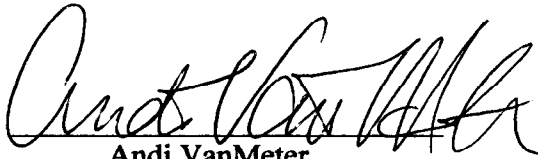
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<sup>1</sup>Margaret Turek resigned as registered agent for BioCentric Laboratories on July 1, 2001.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2005, I served the foregoing papers of BioCentric Laboratories; the new filing Trademark Submission5, by depositing a true copy thereof in a sealed envelope, UPS tracking number 1Z2A68T74250802282, addressed to Opposer's address of record as follows:

Allergan, Inc.  
Attn: Susan J. Hinchey  
Corporate Trademark Department  
2525 Dupont Drive  
Irvine, CA 92612-1599

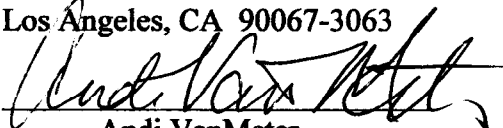


Andi VanMeter

**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2005, I served the foregoing papers of BioCentric Laboratories; the new filing Trademark Submission5, by depositing a true copy thereof in a sealed envelope, UPS tracking number 1Z2A68T74251764698, addressed to the Law Offices of the Opposer, address of record as follows:

Seyfarth Shaw LLP  
Attn: Kenneth L. Wilton  
One Century Plaza  
2029 Century Park East  
Suite 3300  
Los Angeles, CA 90067-3063

  
Andi VanMeter